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10 Attorneys for Linda Livolsi

11
12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14
15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 vs.
18 LINDA LIVOLSI,
19 Defendant.

20 2:10-cr-578-PMP-GWF

21 **MOTION TO CONTINUE**
22 **ORDER TO SHOW CAUSE HEARING**

23 The defendant, LINDA LIVOLSI by and through counsel, Monique N. Kirtley, Assistant
24 Federal Public Defender, hereby files this motion to request that the Order to Show Cause hearing
25 currently scheduled for December 03, 2013 at 2:30 p.m. be vacated and set to a date and time
26 convenient to this court but no earlier than two weeks.

27 The request sought herein is not sought for purposes of delay but due to Ms. Livolsi's health.
28 Ms. Livolsi contacted undesignated counsel on December 02, 2013, and informed undersigned counsel
that she is extremely ill. Ms. Livolsi has not been able to eat for seven days and has a bad infection
in her mouth. She is also suffering from severe headaches, a swollen throat, vomiting, no voice, and
coughing. Ms. Livolsi cannot sit in an upright position for any extended amount of time without
getting dizzy and nauseous, this has made travel impractical for her at this time. Ms. Livolsi is
scheduled to meet with a physician on December 03, 2013. Ms. Livolsi may be able to appear
telephonically but due to the present condition of her throat and voice she feels that it may be
difficult for the Court to hear her. Due to Ms. Livolsi present health condition it is respectfully
requested that this Court grant a continuance for no more than two weeks.

The additional time requested by this motion is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), considering the factors under 18 U.S.C. §§ 3161(h)(8)(B)(I) and 3161(h)(8)(B)(iv).

DATED this 2nd day of December, 2013.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

By: /s/ Monique Kirtley
MONIQUE KIRTLEY
Assistant Federal Public Defender
Counsel for Linda Livolsi

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 * * *

4 UNITED STATES OF AMERICA,

2:10-cr-578-PMP-GWF

5 Plaintiff,

PROPOSED ORDER

6 vs.

7 LINDA LIVOLSI,

8 Defendant.

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10 IT IS THEREFORE ORDERED that the hearing currently scheduled for Tuesday,
11 December 3, 2013, at the hour of 2:30 p.m., be vacated and continued to _____ at the
12 hour of _____.m.

13 DATED _____ day of December, 2013.

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15 UNITED STATES MAGISTRATE JUDGE

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Law Office of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on December 2, 2013, she served a copy of the foregoing by electronic service (ECF) to the person named below **MOTION TO CONTINUE ORDER TO SHOW CAUSE HEARING**

DANIEL G. BOGDEN
United States Attorney
J. GREGORY DAMM
Assistant United States Attorney
333 Las Vegas Blvd. So., 5th Floor
Las Vegas, Nevada 89101

/s/ *Karen Meyer*

An Employee of the Federal Public Defender